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PTO/SB/21 (08-08)

Approved for use through 09/30/2008. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/796,727	
	Filing Date	March 9, 2004	
	First Named Inventor	Larry L. Byers et al.	
	Art Unit	2186	
	Examiner Name	Shane M. Thomas	
Total Number of Pages in This Submission		Attorney Docket Number	MP0787

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Communication Regarding Failure to Receive Office Action (2 pages) and Return Receipt Postcard.</b>
		<b>Remarks</b> The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Harness, Dickey & Pierce, P.L.C.		
Signature			
Printed name	Michael D. Wiggins		
Date	October 20, 2008	Reg. No.	34,754

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Rachael A. Overmyer	Express Mail Label No.	EM 184 988 924 US (10/20/2008)
Signature		Date	October 20, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EM 184 988 924 US



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/796,727  
Filing Date: March 9, 2004  
Applicant: Larry L. Byers et al.  
Group Art Unit: 2189  
Examiner: Shane M. Thomas  
Title: SERVO CONTROLLER INTERFACE MODULE FOR EMBEDDED  
DISK CONTROLLERS  
Attorney Docket: MP0787

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**COMMUNICATION REGARDING FAILURE TO RECEIVE OFFICE ACTION**

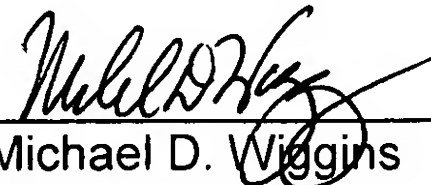
Sir:

In response to the Examiner's phone inquiry on October 20, 2008, Applicants respectfully contend that the Final Office Action with the mail date of April 15, 2008 was not received by Applicants. Applicants further conducted a search of the file jacket and docket records, which also confirms that the document was not received. Applicants have enclosed a copy of the docketing record for this case which shows that the document was not received.

I attest that the information stated above is true and accurate to the best of my knowledge. It is respectfully requested that a Supplemental Final Office Action is mailed so that Applicants have opportunity to respond and that this case resumes prosecution.

Respectfully submitted,

Dated: October 20, 2008

By:   
Michael D. Wiggins  
Reg. No. 34,754

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MDW/rao



## Country Application Print Screen

Monday, October 20, 2008

Matter Number: 5059-P00433 Sub Case: 01  
Country: US United States of America

Old Matter Number:

Attorneys: MDW

Case Type: ORD

Application Status: Published

Status Date: 08-Dec-2005

Client : Marvell Semiconductor Inc.

Client Reference No.: Client Ref. 1

MP0787

HDP No. : 5059-000433/US

Application No.: 10/796727

Publication No.: 2004/0193743A1

Patent No.:

Filing Date: 09-Mar-2004

Publication Date: 30-Sep-2004

Issue Date:

Expiration Date:

Tax Start Date:

Confirmation Number:

Earliest Pri. Date: 10-Mar-2003

Patent Term Adj : 0 days

Tax Schedule : LE

Parent App. No. 60/453241

Parent Filing Date 10-Mar-2003

Parent Patent No.:

Parent Issue Date:

Agent :

Agent Reference:

Owner : 5059-02 Marvell International Ltd.

Title: Servo Controller Interface Module For Embedded Disk Controllers

Resp. Office: TR

Abstract:

Remarks: General Remarks: HDP acquired 11/10/2005 from Klein, O'Neill & Singh. Claims benefit of PRO USSN 60/453241, filed 3/10/2003.

### Actions:

Action Due	Due Date	Indicator	Action Taken	Responsible
Update Status Base Date	08-Jan-2008	Reminder		
Update Status	08-Jul-2008	Reminder		
IDS	09-Jun-2004	Due Date	09-Jun-2004	
English Translation (Util App)	09-Jul-2004	Reminder	09-Jul-2004	
File Formal Dwgs--7 mo	09-Oct-2004	Reminder	09-Oct-2004	
File Formal Dwgs--8 mo	09-Nov-2004	Reminder	09-Nov-2004	
File Formal Dwgs--9 mo	09-Dec-2004	Reminder	09-Dec-2004	
No Foreign Filing	28-Nov-2005	Reminder	28-Nov-2005	
Preliminary Amendment	03-Jan-2007	Reminder	03-Jan-2007	
3 Mo OA (1st) Mail Date	12-Jan-2007	Due Date	22-Mar-2007	
1 Mo OA/Resp (1st) Mail Date	08-Jun-2007	Due Date	06-Jul-2007	
3 Mo OA (2nd) Mail Date	09-Oct-2007	Due Date	08-Jan-2008	

### Assignment History:

From: ASSIGNOR

Date: 14-Jan-2005

Status:

To: MARVELL INTERNATIONAL LTD.

Reel: 017017

Frame: 0605

### Links and Images:



**Country Application Print Screen**

Monday, October 20, 2008

**Matter Number:** 5059-P00433

**Sub Case:** 01

**Country:** US United States of America

**Inventors:**

BYERS, Larry L.

PURDHAM, David M.

SPAUR, Michael R.

**Priority Information:**

Country

Case Type Application Number

Filing Date

10-Mar-2003

**Cost Information:**

**Related Matter:**

Created by:

JMD

28-Nov-2005 12:00 AM

Updated by:

JMD

09-Jan-2008 12:00 AM